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7-ELEVEN, INC.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 SCOTT BISHOP, individually and on behalf
of all others similarly situated,

12 Plaintiff,

13 v.

14 7-ELEVEN, INC.,

15 Defendant.
16

Case No.: 5:12-cv-02621 EJD

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO
RESPOND TO AMENDED COMPLAINT
AND SETTING A BRIEFING SCHEDULE**

1 The parties to this action, through their respective attorneys of record herein, enter into this
2 Stipulation subject to the Court's approval, with reference to the following circumstances:

3 1. Plaintiff Scott Bishop ("Plaintiff") filed his Amended Complaint on September 17,
4 2012. Defendant 7-Eleven, Inc. ("Defendant") presently has until October 1, 2012 to respond or
5 otherwise plead to the Amended Complaint.

6 2. Defendant intends to move to dismiss the Amended Complaint.

7 3. The parties seek an extended briefing schedule for Defendant's motion to dismiss the
8 Amended Complaint.

9 Accordingly, IT IS HEREBY STIPULATED AND AGREED between the parties, pursuant
10 to Local Rule 6-2, that:

11 1. Defendant's motion to dismiss will be filed on or before October 29, 2012.

12 2. Plaintiff's opposition will be filed on or before November 30, 2012.

13 3. Defendant's reply will be filed on or before December 14, 2012.

14 4. A hearing on the motion will be noticed for 9:00 a.m. on January 18, 2013.

15 **IT IS SO STIPULATED.**

16 Dated: September 20, 2012.

ARNOLD & PORTER LLP

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18 By: /s/ Angel A. Garganta
19 Angel A. Garganta
20 Attorneys for Defendant
7-ELEVEN, INC.

21 Dated: September 20, 2012.

PRATT & ASSOCIATES

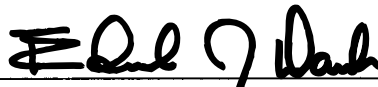
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23 By: /s/ Ben F. Pierce Gore
24 Ben F. Pierce Gore
25 Attorneys for Plaintiff
SCOTT BISHOP

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27 Pursuant to General Order No. 45, § X-B, the filer attests that the concurrence in the filing
28 of this document has been obtained from the above signatories.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Motion to Dismiss (Docket Item No. 11) is terminated as MOOT.

Dated: 9/24/2012



Hon. Edward J. Davila